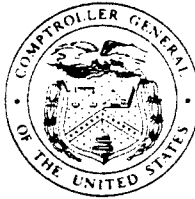


**DECISION**



18655-  
**THE COMPTROLLER GENERAL  
OF THE UNITED STATES**  
WASHINGTON, D. C. 20548

FILE: B-203713

DATE: June 29, 1981

MATTER OF: Jani Pro Corporation

**DIGEST:**

Question concerning small business size status is not for consideration by GAO as conclusive authority over such matters is vested by statute in SBA.

Jani Pro Corporation questions the small business size status of bidders responding to invitation for bids No. N62472-81-B-5248 issued by the Navy Ship Parts Control Center, Mechanicsburg, Pennsylvania.

Under 15 U.S.C. § 637(b)(6) (1976), the Small Business Administration (SBA) is empowered to conclusively determine matters of small business size status for Federal procurement purposes. Under 15 U.S.C. § 634(b)(6) (1976), the SBA has the authority to make such rules and regulations as are deemed necessary to carry out the authority vested in the SBA by this chapter. It is the duty of SBA, and not this Office, to determine whether a concern is a small business for purposes of a particular procurement and SBA's determination is conclusive upon the procurement agency involved. CADCOM, Inc., 57 Comp. Gen 290 (1978), 78-1 CPD 137; Aydin Controls, B-191805, July 3, 1978, 78-2 CPD 3.

In view of the above, the protest is dismissed.

*Harry R. Van Cleve*

Harry R. Van Cleve  
Acting General Counsel

*[Protest Concerning Small Business Size Status]*

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